The Logic of Violence in Roman Civil War

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The logic of violence in Roman civil war[1]

by Carsten H. Lange

A civil war has no real enemy in the traditional sense, or perhaps more precisely, one must be created.[2] In civil war the enemy is a fellow citizen and personal animosities assume great significance. Dehumanising the enemy was and is a standard way of persuading people to kill their fellow citizens, and language is one of the sophisticated ways developed to overcome the instinctive human aversion to doing so.[3] One example will suffice to illustrate this point. Cicero (*Off.* 3.107; cf. Gell. *NA* 5.6.20-22) notoriously suggests that a pirate could not constitute a lawful enemy: *nam pirata non est ex perduellium numero definitus, sed communis hostis omnium* ('For a pirate is not included in the number of lawful enemies, but is the common foe of all the world'). Therefore, an oath given to a pirate could be broken, in contrast to conventional warfare in which the enemy should be treated justly (*Off.* 1.31-41, where Cicero also draws a fascinating distinction between wars of survival and wars against rivals for power (38)). The common enemy of all mankind was not protected by the laws of men.[4] The example becomes interesting when we look at the civil war between the younger Caesar and Sextus Pompeius. For instance, none of this turns Sextus Pompeius into a pirate, but may

[1] I am very grateful to Richard Westall for his helpful suggestions and comments. Unless otherwise stated, all translations are those of the Loeb Classical Library, with minor corrections.

[2] See also Cornwell in this volume.

[3] Grossman 2009. Rüpke 1995, 229-31 is quite right to point out that, at least in principle, fighting is about winning, also adding duty (231-5). This unsurprisingly is also the case in civil war. Killing your enemies and accepting that you yourself might be killed is an integral part of warfare.

[4] cf. Gabrielsen 2013, 133.

certainly help to explain why the label was used.[5] Sextus Pompeius was a regional dynast and a warlord (with no state authority), a leader of pirates and slaves according to the triumvirs. Terminological issues apart, recent years have seen an increasing interest in the civil war period of the late Republic, especially from the death of Caesar onwards, with Josiah Osgood (2006) and Kathryn Welch (2012) as noteworthy contributors. Osgood has admirably revealed the enormous impact of civil war on Roman society during the period after the murder of Caesar.[6] The psychological legacy of the civil war period of the late Roman Republic was extreme and as a result generated a vast body of literature both by contemporaries and by authors who lived much later.

There has also been a growing emphasis on civil wars within the political sciences, prompted by the increase in civil conflicts in the contemporary world.[7] (Civil) war is a recurring and distinct form of human behaviour. The manner in which wars are fought changes, but not the nature of war itself.[8] This notion of the recurring nature of warfare is not unchallenged, but certainly offers a promising avenue for historical studies on civil war. In the late Republic as well as during the later Roman

[5] Lange 2009, 33-8; Lange 2013, 81-2; Lange 2016, 115-21.

[6] 2006; cf. 2014. On the civil war of the late Republic, see also Henderson 1998; Sumi 2005; Lange 2009; Breed, Damon, and Rossi 2010. On the impact of civil war, see now also Zimmermann 2013, esp. 281-92; Börm, Mattheis, and Wienand 2015.

[7] cf. Levy and Thompson 2010, 186-204.

[8] Howard 1962, 6 concludes: 'Given all these academic hesitations, war is nonetheless a distinct and repetitive form of human behaviour'; cf. Strachan 2013, esp. 203, who, however, also emphasises that each war has its own characteristics and as a result one war often cannot teach us about the next. For a critical view of the role of comparative studies in ancient history, comparing ancient Greece and Rome with other historical periods or other cultures and societies, see now Vlassopoulos 2014. Surprisingly, however, he does not consider warfare. Armitage's 2017 study on civil war from Roman times onwards, including contemporary conflicts, goes a long way in re-addressing some of these issues of why civil war appears to be a recurring part of human behaviour. Murray and Sinnreich 2006; Guldi and Armitage 2014, 20-1 view military history as an outpost for long-term history. See Black 2004; Morillo 2013 on military history and current trends.

Empire, civil war was the dominant form of war.[9] It has been a constant occurrence in Europe ever since, and these civil wars all include factional conflicts.[10] During the late Republic, these factional conflicts were confused by the frequent shifting of alliances, the always pertinent issue of legitimacy, and the fact that the different factions had at their disposal 'regular' legions, whether legitimate or quasi-legitimate. In a well-known passage, Cassius Dio describes *dynasteiai* (52.1.1): 'Such were the achievements of the Romans and such their suffering under the kingship (ἔν τε τῇ βασιλείᾳ), under the Republic (δημοκρατίᾳ), and under the dominion of a few [*dynasteiai*], during a period of seven hundred and twenty-five years'.[11] Another constant in civil war is violence upon a large scale and of more than a sporadic manifestation over time. This contribution therefore proposes to use contemporary approaches to civil war, supported by empirical evidence, in order to reconsider the nature and character of ancient civil war, focusing specifically on violence in Rome and Italy during the Late Republic.

The standard modern book on the subject of violence in civil war is Stathis Kalyvas' *The Logic of Violence in Civil War* (2006).[12] He challenges the conventional view of violence in civil wars as something irrational: it is generally not driven by the conflict itself, but by previous disputes and hostilities among the population and participants. His argument echoes that of Thucydides (see below). According to Kalyvas, civil war has two distinct features that set it apart from interstate conflicts, both fundamentally linked to violence: barbarism and intimacy.[13]

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[9] Shaw 2001 on the later Roman Empire.

[10] Kalyvas 2006, 18-9.

[11] For this construct [*dynasteiai*], based on the differences between Dio's Republican and late republican narratives, see Kemezis 2014, 90-149. *Dynasteiai* begins at some point during the second century BCE, where Dio's books are fragmented, and ends with Actium: Kemezis 2014, 102; 107, n. 36 with scholarship on *dynasteiai*. For Appian, see Kemezis 2014, 108, n. 37 (*B Civ*. 1.pr.2).

[12] Kalyvas uses empirical evidence from the Greek civil war, focusing mainly on the Argolid region from 1943 to 1949.

[13] 2006, 11.

Astonishingly, there is a tendency to overlook the high amount of violence in civil wars. One reason for the tendency to underestimate such violence may be that it often does not take place on the battlefield (I have chosen to focus upon two scenes that are not battlefield scenes proper for this very reason), and in some conflicts there is no clearly demarcated front line. Thus, much violence in civil wars is unrecorded, with a primary focus on pitched battles.

Fighting neighbours and opposing warring groups with small armies was an integral part of the late republican civil war period and should not be overlooked.[14] The so-called *Laudatio Turiae* explores the situation in Rome and Italy at the beginning of the civil war between Pompeius and Caesar. Many prepared to leave Italy to fight, but those left behind still potentially faced intimidation, violence, robbery, and murder. The husband who erected the inscription even proudly records that his wife defended their house (2.11a). This reveals that civil war was fought on more than just battlefields.[15] Fascinatingly, the *laudatio* more than anything suggests that the civil war of the period should be viewed as one continuous war, not a series of civil wars.[16] Violence was an integral part of the civil war of the late Republic, and Rome may even be described as a failed state.[17] More than anything the civil war itself points to Rome as a failing state. The very fact of civil war also means that Rome as a sovereign state did not monopolise violence. The problems

[14] Osgood 2014, 16; armed gangs roamed the countryside: see Brunt 1971a, 551-7 ('Violence in the Italian Countryside'), with the ancient evidence.

[15] Conspiracies and civil unrest are other examples; part of the growing political violence in Rome and Italy during the late Republic.

[16] In fact, there is only one direct mention of civil war in the surviving text, in connection with Milo (2.10a). Civil war is thus mentioned fewer times than in the *Res Gestae* of Augustus (chapters 3.1, 34.1).

[17] There are, however, some problems in the idea that Rome imploded/failed as a state during the late Republic, as the different factions fought for supremacy of the state, not in order to dissolve it. However, the ties between the commander and his troops may still point in this direction. Different (failed) military coups certainly played a large part in the crisis of the Republic (the *coup d'état* of the younger Caesar, legitimised in *RGDA* 1.1; see Lange 2009, esp. 15).

inherent in the system have been masterfully described by Michael Crawford as one of 'alternative states' (2008). These 'alternative states' – mostly in the provinces, including Sertorius in Spain in the 70s, Pompeius in the East in the 60s, and Caesar in Gaul in the 50s BCE – incorporated alternative career structures and local manpower resources that drew on Roman and Italian settlements abroad.[18] Many players during the late republican civil war were not, however, Crawford's 'alternative states', but they were certainly factions. Furthermore, Caesar, Pompeius and their elite associates always wanted to use what they had acquired in their 'alternative states' to advance their careers on their return to Rome. The civil war broke out in 49 BCE not because Caesar did not want to leave Gaul but over the terms on which he would return to Rome. Sextus Pompeius', however, was the head of an 'alternative state'.

In reacting to these 'alternative states' or factions, there certainly were demands for disarming non-state actors. Whether these dynasts had state backing and legitimate authority or not, their factions played a large part in the continuous civil war of the Late Republic. However, in these cases, including that of Sextus Pompeius, the various combatting groups were led by ranking nobles. Andrew Lintott in the classic study *Violence in Republican Rome* takes the view that Rome was inherently violent, and initial critique of his book suggested that he overstressed civil violence.[19] If anything, I would suggest that he underestimated civil violence and that scholars often underestimate the violence perpetrated during civil war.[20] Importantly, civil war was much more than just the pitched battles of Pharsalus and Philippi.

According to Kalyvas, political violence is often thought to be impersonal, public, and collective, whereas criminal violence is personal, private, and intimate. Civil war resembles the latter

[18] 2008, 636.

[19] Lintott 1999², xiv: '… the Romans were living then in a society where violence was commonplace'; xix. Cf. Brunt 1966; Nippel 1995, on late republican violence.

[20] See, however, Alston 2015.

and is often intimate and private. It is a paradox that selective violence in civil war is similar to criminal violence.[21] The question arises as to why there is a widespread use of indiscriminate violence in civil war. According to Kalyvas, such violence serves to achieve potential objectives: 'extermination', 'displacing people', 'plunder', and 'demonstrating a group's power and ability to hurt another group'.[22] He adds that, typically, indiscriminate violence is most effective when there is a great imbalance of power between the actors. Political actors are likely to move gradually from indiscriminate violence to selective violence, as the former may be counterproductive.[23] This suggests that the greater power actors possess, the less likely they are to resort to violence and *vice versa*.[24] Another vital conclusion to be drawn from civil war studies is that 'Civil war transforms often trivial and petty conflicts and grievances into lethal violence'.[25] Intimacy is thus essential rather than accidental to civil war, and is often driven by local long-standing disputes.[26] The rationale of violence in civil war should not be reduced to madness.[27] Violence can in fact even be used to create order, maintain it, and uphold it in the face of danger. Scholars of political, social, and economic institutions often assume that violence is absent and order established, never considering that the maintenance of such institutions might be connected to the management of conflict and threat of violence.[28]

This contribution seeks to comprehend and situate the violence of the civil war of the Late Republic, rather than merely

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[21] 2006, esp. 330-2, cf. 330-63 on intimacy and civil war.

[22] 2006, 147.

[23] 2006, 168-9.

[24] 2006, 204.

[25] 2006, 351; cf. 389.

[26] 2006, 330; 362. Martin 2014 shows how difficult it can be to define the enemy in a civil war, focusing on the local character of the conflict, with Helmand, Afghanistan, as the case study. The conflict is too often erroneously characterised as Taliban insurgent violence. Outsiders do not understand the local conflict, and therefore they are themselves manipulated.

[27] 2006, 388.

[28] Kalyvas, Shapiro, & Masoud 2008, 1.

noting its existence. It will suggest that behaviour during the Roman civil wars was typical of comparable conflicts, at the same time focusing on different forms of violence, indiscriminate as well as selective.[29] Consequently, this contribution will re-address two instances of violence during the civil war of the outgoing Republic: the murder of Cicero during the proscriptions in late 43 BCE and the use of violence by the victorious younger Caesar upon the fall of Perusia early in 40 BCE. They were, it will be argued, personally motivated, the latter being indiscriminate (Perusia) and the former selective (Cicero and the proscriptions). This does not suggest a gradual move from indiscriminate violence to selective violence during the period, but rather a shift in power and control amongst the protagonists. However, before turning to the Late Republic itself, a brief survey of the most famous ancient description of civil war may offer insight to the approach adopted here.

Thucydides and Greek *stasis*[30]

Thucydides famously describes the impact of the civil war at Corcyra in 427 BCE, a relatively minor theatre of operations during the Peloponnesian War,[31] and in so doing he furnishes a substantial excursus on the concepts of *stasis* and civil war.[32] Geoffrey Hawthorn explains: 'He [Thucydides] explains the

[29] This is supported by Zimmermann 2013. He emphasises that military might is exemplified by violence and terror (278). In order to present an ideology, the enemy must be portrayed as defeated, and instances of this must be presented to shocking effect (25).

[30] According to Loraux 1991, 49, each *polis* tended to describe their own internal divisions as *diaphora*, as opposed to the civil wars of their neighbors, called *stasis*. For a refreshing view of Thucydides and his work, see Hawthorn 2014 – Professor Emeritus of international politics and identifying himself as a realist, like Thucydides – suggesting that it is impossible to assign an ideology to Thucydides (15), and adding that he resists 'illusion and obtrusively conclusive judgment' (238).

[31] See esp. Thuc. 3.81-5; 3.81-2: '*stasis* model', see Price 2001, 6-78. For *stasis* in the sense of factional rivalry, see Price 2001, 31; cf. Pl. *Resp*. 5.470d; in late Republican Rome a *factio* was associated with oligarchy (e.g. *RGDA* 1.1; Sall. *Iug*. 31.15; Caes. *B Civ*. 1.22.5; *B Gall*. 6.11.2; Cic. *Brut*. 44.164; *Att*. 7.9.4; *Rep*. 1.44).

[32] Price 2001, 12. Most other instances of civil strife/war are mentioned only briefly (e.g. Thuc. 3.34; 4.1.3; 5.4.3; 5.5.1).

genesis and nature of one to convey the character of them all.'[33] Thucydides offers this detailed description, as this was only the first of many civil wars to follow (3.81.4-5; cf. 3.82.1: wars to follow):

> ἡμέρας τε ἑπτά, ἃς ἀφικόμενος ὁ Εὐρυμέδων ταῖς ἑξήκοντα ναυσὶ παρέμεινε, Κερκυραῖοι σφῶν αὐτῶν τοὺς ἐχθροὺς δοκοῦντας εἶναι ἐφόνευον, τὴν μὲν αἰτίαν ἐπιφέροντες τοῖς τὸν δῆμον καταλύουσιν, ἀπέθανον δέ τινες καὶ ἰδίας ἔχθρας ἕνεκα, καὶ ἄλλοι χρημάτων σφίσιν ὀφειλομένων ὑπὸ τῶν λαβόντων. πᾶσά τε ἰδέα κατέστη θανάτου, καὶ οἷον φιλεῖ ἐν τῷ τοιούτῳ γίγνεσθαι, οὐδὲν ὅτι οὐ ξυνέβη καὶ ἔτι περαιτέρω. καὶ γὰρ πατὴρ παῖδα ἀπέκτεινε καὶ ἀπὸ τῶν ἱερῶν ἀπεσπῶντο καὶ πρὸς αὐτοῖς ἐκτείνοντο, οἱ δέ τινες καὶ περιοικοδομηθέντες ἐν τοῦ Διονύσου τῷ ἱερῷ ἀπέθανον.
>
> During the seven days that Eurymedon stayed with his sixty ships, the Corcyraeans were engaged in butchering those of their fellow-citizens whom they regarded as their enemies: and although the crime imputed was that of attempting to put down the democracy, some were slain also from private hatred, others by their debtors because of the money owed to them. Death thus raged in every shape; and, as usually happens at such times, there was no length to which violence did not go; sons were killed by their fathers, and supplicants dragged from the altar or slain upon it; while some were even walled up in the temple of Dionysus and died there. (trans. Strassler 1996).

Thucydides emphasises that *stasis* has a dynamic of its own.[34] Wickedness and personal animosities reflect human nature (3.82.2; 82.1: at times of peace people did not have to do what they did not wish). Price fittingly concludes that 'internal war is a state of mind'.[35] At the outset this appears to be a civil war between two warring groups (oligarchs and democrats, pro-Spartan and pro-Athenian). However, there is an added and

[33] 2014, 96.

[34] Although Lendon 2010, 211, rightly suggests that Thucydides overestimates foreign war as the cause of civil war. *Contra* Sallust, who emphasised that the absence of war caused a lust for money and power, thus encouraging civil war (Sall. *Cat.* 10.4).

[35] 2001, 30.

personal side to this conflict, something well known in civil wars.[36] At 3.82.8 we are told that neutrality was impossible; people who maintained it were destroyed by either warring group. Another consequence was that ever greater excesses seem to have been a part of *stasis* – war changed men and made them capable of things that usually would not occur to them (3.82.3).[37] Similarly, a permanent peaceful settlement was considered hopeless and thus the warring parties sought to prevent being injured themselves (3.83.2). Parallel ancient evidence apart (Tac. *Hist*. 2.38 emphasises the greed for power), with Thucydides and Kalyvas we can safely assume that these were regular features in civil wars in Greece and Rome, as well as their modern counterparts (Kalyvas: 'violence in civil war often displays some critical recurring elements').[38] The political and moral collapse at Corcyra, as described by Thucydides, caused a brutalisation of the *polis*. This is also visible in Roman civil wars, to which we now must turn.

Cicero's body

The proscriptions of 43-42 BCE singled out individuals as outlaws who could be killed with impunity and their property confiscated.[39] There is no doubt that the Triumvirate was profoundly marked by violence, illegality, and arbitrary exercise of power, but all the same a justification was offered. There was in fact continual constitutional debate throughout the civil war period. The fullest descriptions of the proscriptions are found in Appian (*B Civ*. 4.8-11: proscription edict) and Cassius Dio (47.1-19; 47.13.3-4: the triumvirs stated they had emulated neither the cruelty (ὠμότης) of Marius and Sulla, nor the mildness (ἐπιείκεια) of Caesar).[40] Cassius Dio emphasises that

[36] Cf. Kalyvas 2006; Martin 2014 on modern (civil) wars.

[37] Price 2001, 25.

[38] 2006, 6; cf. Kagan 2009, 13.

[39] On the proscriptions, see Syme 1939, 187-201; Hinard 1985; Gowing 1992a, 247-69; Henderson 1998, 11-36: 'triumviral terrorism' (15).

[40] See Gowing 1992a, 247-69, with further evidence. The number of dead: Brunt 1971a, 111-2, 301-2, 326.

the triumvirs agreed to 'bring about the murder of their personal enemies' (46.56.1: προσσυνέθεντο τῶν τε ἐχθρῶν σφῶν σφαγὰς ποιήσασθαι).[41] This manifested itself at the outset in the form of personal vendettas, and Cassius Dio talks of the personal goals of the triumvirs (47.1.1; App. *B Civ*. 4.5 suggests that they compiled the list together). However, at 47.7.1, Cassius Dio places the principal blame on Antonius and Lepidus.[42] There is little reason to assume that Cassius Dio is correct, and it seems much more probable that the triumvirs agreed on the matter. The story that the younger Caesar wanted to save Cicero certainly seems dubious.[43] Significantly, these debates amongst the triumvirs, as recorded in our evidence, whether fictional or real, turn the proscriptions into something very personal. In fact, as can be seen from experiences such as those of 'Turia' and her husband, the debates and decisions made were as much about wealth and prestige as politics.

Cicero was killed on 7 December 43 BCE, as a result of the proscription edict.[44] According to some sources, the head and hands of Cicero were put on show on the Rostra (Sen. *Suas*. 6.17). Florus offers a very colourful description (2.16.5):

> nam Romae capita caesorum proponere in rostris iam usitatum erat; verum sic quoque civitas lacrimas tenere non potuit, cum recisum

[41] Cf. App. *B Civ*. 4.3; Plut. *Ant*. 19.2-3; Livy *Per*. 120. According to Gowing 1992a, 249, cf. 265, Appian is close to Thuc. 3.81.4. App. *B Civ*. 4.1.2 points back to Greek civil wars. See above.

[42] Cf. Vell. Pat. 2.66.1; Osgood 2014, 56, 124: in the so-called *Laudatio Turiae* the husband was eventually restored as citizen of Rome due to the clemency of the younger Caesar. This, however, required the consent of Lepidus, who at least at first refused to give it. The wife was even dramatically beaten at the tribunal of Lepidus, and was forced to go down on her knees before him (2.15-18). Even so, she persevered. Osgood is rightly sceptical on this matter (56), as this may be a question of discrediting Lepidus, but we cannot be certain that this did not happen precisely as the husband claims. Cassius Dio (48.3, see below) suggests that that the return of the younger Caesar to Italy was feared (so Gowing 1992b, 286).

[43] Plut. *Cic*. 46; Suet. *Aug*. 27 even suggests that the younger Caesar had been against the proscriptions altogether.

[44] The last days of Cicero: Livy's account is preserved in Sen. *Suas*. 6.17; see 6.14-27 for other accounts; cf. Vell. Pat. 2.66; Plut. *Cic*. 48-49; App. *B Civ*. 4.19-20; Cass. Dio 47.8.3-4–11.1-2.

> Ciceronis caput in illis suis rostris videret, nec aliter ad videndum eum, quam solebat ad audiendum, concurreretur.
>
> It had already become customary to expose on the Rostra at Rome the heads of those who had been executed; but, even so, the citizens could not restrain their tears when they saw the severed head of Cicero on those very Rostra which he had made his own, and men rushed to gaze upon him as once they were wont to crowd to listen to him.

Cassius Dio tells the story of Fulvia toying with the head of Cicero, sticking pins in his tongue (47.8.4). The story is doubted by Alain Gowing,[45] but in reality we cannot know for certain, even if this may well be propaganda to blacken Antonius' name. The same can of course be said of many stories of the period; they smack of propaganda, to use Gowing's phrase.[46] Therefore, we need new approaches, and one such would be to use comparative evidence of violence in civil war, even if this cannot with certainty reveal what actually happened during the Late Republic. With that in mind, it is important to emphasise that the proscriptions as well as the dismemberment of dead enemies were an integral part of Rome's (civil) wars: the negative effect of what modern observers might consider to be barbaric was clearly believed by some at the time to be outweighed by its political efficacy. The repetition of such unpleasant acts during the late republican period does suggest this to be the case.

Amy Richlin (1999) discusses acts of violence and the symbolic meaning of the body. She argues that decapitation might be seen 'as the final, logical step in verbal duelling'.[47] This is reasonable, but one should not overlook the straightforward answer: the simple matter of power and control. The power of the image supplanted that of the written word and the 'shock

[45] 1992b, 284.

[46] 1992b, 288.

[47] 1999, 197. Cf. Kristensen 2015, on the head of Maxentius, emphasising the dismemberment of the human body as an immensely effective symbolic component of late antique civil war.

effect' ensured that the political implications would have been both obvious and devastating.[48] This was selective violence and Cicero's body was meant to be seen, talked about, and indeed written about. The triumvirs may have shared power in the state between themselves,[49] but such acts implied control: the 'government' often became only another faction in the civil war, with claims of legitimacy from all participants. In this case the triumvirs acted as a faction. Beyond the clear financial incentives for their establishment, the proscriptions were a way to gain control, while also eliminating opponents, thus restoring stability after the assassination of Caesar. Significantly, they were an extreme form of violence, but targeted only the alleged enemies of the state. Such violence displayed the resolve and power of the triumvirs, thus deterring potential adversaries, in addition to eliminating powerful enemies. Thus there was a logic to the triumviral violence – it was something rational.

The question arises as to the connection between the proscriptions and the civil war, in particular in terms of justification. Dismemberment of the proscribed was a spectacle of violence. In terms of approaches to civil war, there is a partly modern confusion related to the idea that 'Civil war often refuses to speak its name'.[50] Lucan talks of the unspeakable war (1.21: *bellum nefandum*), albeit for little real purpose, as civil war is the subject of his epic *De Bello Civili* (unspeakable war = civil war: 1.324-5; cf. Valerius Flaccus, *Argonautica*, 3.15: *infanda proelia* [unspeakable battles]). Indeed, far from denying the nature of the war, mentioning the civil war as a *bellum nefandum* only serves to emphasise the conspicuous civil element. The proscribed themselves were, in principle at least, no longer citizens, although this is primarily a semantic point. Revoking their citizenship did, however, resolve the thorny

[48] Cf. Zimmermann 2013. This may also partly be the case today. On the power of violent images in the contemporary world, see Bolt 2012. The now classic study on the subject is Sontag 2003.

[49] Lange 2009, esp. 18-26.

[50] Kalyvas 2006, 17.

problem that there was in theory a law protecting the Roman body from corporal punishment (*Lex Porcia*: Cic. *Rab. Perd.* 12).[51] Civil war and civil war celebrations were banned in principle,[52] but the display of Cicero's head on the Rostra was apparently justifiable. The difference here is between civil war and foreign war, and violence itself was never an issue. In the Roman triumph the main procession would have concluded in the Forum Romanum, as the captive enemies were taken to the Tullianum, on occasion, for execution (Cic. *Verr*. 5.77; Ov. *Pont*. 2.1.41-6; Plut. *Mar*. 12.3-4). Visible or not, this was a potent way to end the most public part of the spectacle, killing an already defeated enemy.[53]

In contrast to the standard triumphal spectacle, no civil war opponents were paraded through the streets of Rome in person in the civil war triumphs of the period – and no civil opponents executed at the spectacle – although at Caesar's African triumph the deaths of Scipio, Petreius and Cato were depicted, albeit without names (App. *B Civ.* 2.101). This restraint reflected triumphal conventions. However, civil war was a clearly visible element in *hostis* declarations and the dismemberment, and public display, of human bodies. This was proof that the person in question was dead, and provided a statement of power and intent, and a dire warning to potential adversaries. As has been shown, (personal) vengeance was an integral part of the

[51] There seems to have been legislation against public violence (e.g. *Lex Plautia* and prosecutions *de vi*. See Cic. *Cael*. 70; Gruen 1992[2], 211-59; Lintott 1999[2], 107-24, with further evidence). But this of course refers to public violence, as opposed to warfare.

[52] In principle no triumph could be awarded after a civil war; see Lange 2013; Lange 2016: apart from a few exceptions (Munda and Mutina), a general could not expect to triumph after a victory in an exclusively civil war, only for a civil war that could also be represented as a foreign war; it was by virtue of their external character that they qualified for a triumph. However, by the late Republic commanders could downplay the civil element within a triumph by merely omitting the name of their enemy, yet at the same time loudly claim to have ended the civil war (Naulochus and Actium). On civil war and triumph, see also Havener 2014; Östenberg 2014.

[53] Zimmermann emphasises that all enemies, internal and external, were subject to unrestricted violence (2013, 39; 245-54, on Roman massacres in war, with ancient evidence).

proscriptions, together with economic and political issues. Cassius Dio accurately sums up the practice of declaring people enemies of the state while reflecting on events after the assassination of Caesar (43 BCE: 46.34.5):

> οἱ μὲν γὰρ εὖ πράξαντες καὶ εὔβουλοι καὶ φιλοπόλιδες ἐνομίσθησαν, οἱ δὲ δὴ πταίσαντες καὶ πολέμιοι τῆς πατρίδος καὶ ἀλιτήριοι ὠνομάσθησαν.
>
> For those who were successful were considered shrewd and patriotic, while the defeated were called enemies of their country and accursed.

'Semantic confusion' was thus, as mentioned, an integral part of civil war. The connection between civil war and *hostes* declarations became marked with the civil war between Marius and Sulla.[54] Continuing the executions that followed the battle of the Colline Gate, Sulla posted the proscription list naming all the citizens who were declared outlaws.[55] In 88 BCE Sulla had Marius and others declared public enemies.[56] A similar fate befell Sulla and Cinna in 87 BCE (App. *B Civ*. 1.65; 73), and in 83 BCE the senators who supported Sulla (App. *B Civ*. 1.86). Lists of proscriptions were then put up in Rome in 82 BCE, and Cassius Dio has a vivid description of events (fr. 109),[57] including the very prominent publication of the proscription lists on white boards and the displaying of the heads of the

[54] On Sulla and justification, see Vervaet 2004. On the triumvirs' use of Sulla as a model, see Vervaet 2004, esp. 58. See also Cornwell in this volume.

[55] For the killings after the battle of the Colline Gate during the first Roman civil war, see Val. Max. 9.2.1, a section on cruelty, claiming that four legions were killed; Flor. 2.9.24 mentions four thousand and adds that a crime like this was to be expected in war; *De vir. ill*. 75.10 has the figure of nine thousand; see also Hinard 1985, 41, n 106. See below.

[56] *Hostes*: Flor. 2.9.8; Plut. *Sull*. 10.1; Vell. Pat. 2.19.1. On *hostis* declarations, see Nippel 1995, esp. 66-7. The classic study is Vittinghoff 1936.

[57] On the fragments see now Urso 2013. Three fragments printed a little before *fr*. 109 by Boissevain 1895-1931, 1.349-50 = Cary 1914-27, 2.480-3 are cited as from Book 33, and perhaps relate to the civil war in 83 BCE, and if this is right the proscription fragments would probably come from the same book. This is plausible, but conjectural.

proscribed on the Rostra in the Forum.[58] The leading opponents of Sulla could be killed with impunity (App. *B Civ*. 1.60). Their property would then have been confiscated and their houses destroyed.[59] The heads of those executed were displayed in the Forum Romanum and the bodies thrown into the Tiber.[60] Marius' body was even exhumed and the remains scattered, on the orders of Sulla, and the trophies commemorating his victories removed.[61] Sulla's triumph was for a genuinely foreign war, in principle unrelated to the civil war;[62] however, he did use it to celebrate the 'restoration' following the civil war – the return of exiles and recovered monies. He did not present the heads in the triumph, as Constantine displayed the head of Maxentius in 312 CE in clear breach of triumphal conventions.[63] But the fact that they – the heads of well-known Roman citizens – were on show in the Forum Romanum suggests that this was a civil war. The Romans were not afraid to admit this. As a means of justification, the enemy was presented as starting the war and punished accordingly. Remarkably, the heads on the Rostra functioned as proof, much as when the enemy was shown in the triumphal procession; the enemy was dead.

In terms of Kalyvas' argument, one might say with John Henderson that Sulla's proscriptions occurred in the aftermath of battle, whereas the triumvirs began the proscriptions before

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[58] Cass. Dio fr. 109: ὅτι πάντων τῶν σφαζομένων ὁπουδὰν αἱ κεφαλαὶ ἐς τὴν τῶν Ῥωμαίων ἀγορὰν ἐκομίζοντο καὶ ἐπὶ τοῦ βήματος ἐξετίθεντο, ὥσθ' ὅσα περὶ τὰς προγραφὰς συνέβαινεν, ταῦτα καὶ περὶ ἐκείνας γίγνεσθαι ('The heads of all those slaughtered in whatever place were brought to the Roman Forum and exposed on the Rostra, so that the same scenes were being enacted around them as around the proscription lists').

[59] App. *Mith*. 51.204; *B.Civ.* 1.73.

[60] Livy *Per*. 77; Val. Max. 3.1.2b; Vell. Pat. 2.19.1; Sen. *Prov*. 3.7; *Clem*. 1.12.1; Luc. 2.160; Plut. *Cat. Min*. 3.2-4; App. *B Civ*. 1.71; *Mith*. 51. See Flower 2006, 92.

[61] Cic. *Leg*. 2.56; Val. Max. 9.2.1; Luc. 1.583-584; Hinard 1985, 80-1; and Plut. *Caes*. 6; Vell. Pat. 2.43.4; Suet. *Iul*. 11.2; Val. Max. 6.9.14, later restored by Caesar.

[62] Lange 2013, 73-4.

[63] See Lange 2012.

the actual battle of Philippi.[64] This should not make us forget, however, the main similarity between the two, namely that the proscriptions in general and the dismemberment of Cicero's body in particular were acts of extreme violence, typical of a civil war period, but with relatively few victims. These are ancient Roman examples of selective violence: powerful images but in principle less counterproductive than indiscriminate violence.[65] At Perusia, however, a very different scenario is presented by the evidence.

The civil war episode at Perusia

One apparently rudimentary *dictum* tells us that things are resolved by war. According to James Whitman: 'Wars are horrific ways of making decisions, but they *are* ways of making decisions.'[66] He suggests that wars are fought according to some set of ground rules or conventions, which can limit war and its consequences.[67] However, this is not always the case, and certainly not so in civil war. In the aftermath of the Perusine War, the logic of violence in civil war becomes apparent.[68]

After Philippi, Antonius had the task of pacifying the East, whereas the younger Caesar had a more challenging assignment: the settling of veterans in Italy and the pending civil war against Sextus Pompeius. The relationships between the triumvirs had declined after Philippi. The younger Caesar took over Gaul

[64] Kalyvas 2006; Henderson 1998, 19.

[65] Cf. Tilly 2003, 14-6 on different kinds of collective violence.

[66] 2012, 23.

[67] 2012, 11-2, and see esp. pages 182-6 on ancient warfare.

[68] Tilly 2003, 14-5: war is defined as *co-ordinated destruction*, whereas the killings after the final battle may best resemble violent rituals, including public executions, or *opportunism*, the use of violent means to pursue generally forbidden ends, including looting, piracy and military pillage. Tilly also rightly emphasises that a good deal of collective violence occurs under the cover of law (19), even though the legality may be questionable. He distinguishes between force (legitimate) and violence (illegitimate) (27). The legal legitimacy of the Triumvirate apart (in this particular case the triumviral assignment, including the task to constitute the *res publica* [task: to end the civil war. See Lange 2009, 18-26]), the alleged killings at Perusia were of course highly problematic, as the victims were Romans, even if they made war on the *res publica*.

when the governor Calenus died, and there were further issues regarding Sextus Pompeius. Appian (*B Civ*. 5.61-62) even suggests that the triumvirs disagreed regarding what to do against him, perhaps because the younger Caesar was unhappy that Antonius had intervened in his sphere of influence.[69] And then there was the civil war episode at Perusia.[70] There is no denying that after the Perusine war Antonius arrived at Brundisium in 40 BCE and Rome was on the verge of another civil war, this time between the two triumvirs, although their soldiers refused to fight.[71] The fear of civil war was always present. Cassius Dio emphasises the panic in Italy caused by land distributions after Philippi (48.3.3-6):[72]

> χρονίζοντος δ᾽ οὖν αὐτοῦ λόγοι τε παντοδαποὶ ἐθρυλοῦντο καὶ παθήματα ἀπ᾽ αὐτῶν παντοῖα συνέβαινε. τά τε γὰρ ἄλλα καὶ οἱ μὲν ὡς τέθνηκε διεθρόουν, καὶ ἡδονὴν πολλοῖς ἐνέβαλλον, οἱ δὲ ὡς κακόν τι βουλεύοιτο, καὶ φόβον συχνοῖς ἐνεποίουν. καὶ διὰ τοῦτο οἱ μὲν τὰ σφέτερα συνέκρυπτον καὶ ἑαυτοὺς ἐν φυλακῇ ἐποιοῦντο, οἱ δὲ ὅπῃ ποτὲ ἀποδράσοιντο διεσκόπουν. ἄλλοι, καὶ οἵ γε πλείους, οὐδὲ ἐπινοῆσαί τι ὑπὸ τοῦ σφοδροῦ δέους δυνάμενοι, παρεσκευάζοντο ὡς καὶ πάντως ἀπολούμενοι. βραχύ τέ τι καὶ κομιδῇ σμικρὸν τὸ θαρσοῦν ἦν· ἐκ γὰρ δὴ τῆς πρόσθεν πολλῆς καὶ ποικίλης καὶ τῶν ἀνθρώπων καὶ τῶν χρημάτων φθορᾶς οὐδὲν ὅ τι οὐχὶ καὶ τῶν ὁμοίων καὶ τῶν χειρόνων, ἅτε καὶ παντελῶς κεκρατημένοι, προσεδέχοντο. ὅθενπερ καὶ ὁ Καῖσαρ φοβηθεὶς μή τι ἄλλως τε καὶ τοῦ Λεπίδου παρόντος νεοχμώσωσιν, ἐπέστειλε τῇ γερουσίᾳ θαρσεῖν τε αὐτῇ παραινῶν, καὶ προσυπισχνούμενος πάντα καὶ πράως καὶ φιλανθρώπως κατὰ τὸν πατέρα ποιήσειν.

[69] Suet. *Aug*. 13.3; Lange 2009, esp. 26-33.

[70] Holmes 1928, 95-100; Reinhold 1933; Syme 1939, 207-13; Gabba 1971; Gowing 1992a, 77-87; Osgood 2006, 159-67, 187-8; Lange 2009, 26-33, with evidence; on the veterans, see Brunt 1971a, 488-98.

[71] Lange 2013, 80-1; the Perusine War: Prop. 1.21-22; Livy *Per*. 125-126; Vell. Pat. 2.74.3 (cf. Levick 2010, 35, n 62); Suet. *Aug*. 13-4; 96.2; Plut. *Ant*. 30.1; App. *B Civ*. 5.32-52.

[72] On the issue of the Italian property owners, see Gabba 1971, with contemporary evidence from Virgil, Propertius and Horace; cf. Osgood 2006, 159, n. 21 on Cassius Dio's own experiences during the Severan age.

> During this delay of Caesar's all sorts of stories were current and all sorts of feelings resulted from them. For example, some spread a report that he was dead and caused pleasure to many people; others said he was planning some evil and filled numerous persons with fear. Therefore some proceeded to hide their property and to protect themselves, and others considered in what way they might possibly make their escape. Others, and they were the majority, being unable even to devise a plan by reason of their excessive fear, prepared to meet a certain doom. The courageous element was insignificant and exceedingly small; for in the light of the former great and manifold destruction of both lives and property they expected that anything whatever of a like character or worse might happen, inasmuch as they now had been utterly vanquished. Therefore Caesar, fearing that they might begin a revolt, especially since Lepidus was there, forwarded a letter to the senate urging its members to be of good cheer, and promising, further, that he would do everything in a mild and humane way, after the manner of his father.

Clementia could be a powerful tool, but it would not be offered to all, as the war at Perusia shows. Lucius Antonius had demanded that the powers of the Triumvirate be returned to the *res publica* as the assassins of Caesar had been defeated.[73] According to Appian (*B Civ*. 5.19), Lucius was a republican (a highly loaded and problematic label) and ill-affected towards the Triumvirate. Restoring the powers of the Triumvirate was a recurring debate amongst the triumvirs themselves.[74] Whether Lucius in fact can be considered a 'republican' or supported the faction of his brother Marcus is less important here. Whichever the case, Perusia was a civil war.[75] Ventidius and Pollio, the lieutenants of Antonius, were repeatedly importuned by Lucius to march south with their legions (App. *B Civ*. 5.32-33), but even when this happened, clearly it did not change the course of

[73] Lange 2009, 22-3; cf. 27-8.

[74] Lange 2009, 24, 34-5, 52, 58-62, 70-1, 183.

[75] Suet. *Aug*. 9 provides us with a list of the civil wars engaged by the younger Caesar: *Bella civilia quinque gessit: Mutinense, Philippense, Perusinum, Siculum, Actiacum* ('The civil wars that he waged were five, called by the names of Mutina, Philippi, Perusia, Sicily, and Actium').

war.[76] I shall not, however, focus on L. Antonius' motivations, but instead focus on violence and the impact of civil war.

There are diverse ancient traditions concerning the battle and its aftermath, and it is difficult to accept one and dismiss the others. Rather, we might also look at comparative evidence and modern approaches. Theories of civil war may allow us to reinterpret the ancient evidence. According to Gowing,[77] the Livian tradition is different from the versions recorded by Appian and Cassius Dio, but Livy and Appian are in basic agreement that the war was brought to an end without bloodshed. According to Livy, Perusia was sacked, but Lucius and his soldiers were pardoned. The armies of both sides came under the command of the younger Caesar (Livy *Per*. 126).[78] The integration of enemy soldiers after the civil war had ended suggests that Livy might have focused on the positive outcome of the war.[79] Velleius Paterculus (2.74.3-4), in a rather damning piece of evidence, claims that the army was cruel towards the inhabitants of Perusia, even if this was allegedly against the wishes of their commander. Velleius seems here to be the apologist of the younger Caesar. However, even Appian (*B Civ*. 5.49) emphasises that the younger Caesar intended to turn the city over to his army, but that it was burned down before this could happen.

The two main narratives of the conflict present different perspectives. Cassius Dio's narrative is built around the individual protagonists, whereas Appian's focuses on the populace and the consequences of civil war.[80] Cassius Dio has

[76] Holmes 1928, 96-7; Reinhold 1933, 181; Syme 1939, esp. 209-11. Antonius needed to decide between an open break with the younger Caesar, followed no doubt by a civil war, and the beginning of operations against the Parthians. See Ober 2001 for a splendid analysis of the political and military situation after the death of Caesar. He rightly emphasises that all might have been different had Antonius not suffered defeat against Parthia.

[77] 1992a, 84, n. 66.

[78] Brunt 1971a, 494-6.

[79] Today scholars talk of DDR, i.e. disarmament, demobilisation, and reintegration after the formal end of hostilities. See Berdal and Ucko 2009.

[80] So Gowing 1992a, esp. 78.

Lucius and Fulvia acting independently (48.5.4; 6.4-5; *contra* 48.27.1, suggesting that Antonius was informed. He did nothing to prevent anything, or so it seems). *Contra* Appian, who seems to suggest that Lucius acted in the interests of his brother (*B Civ*. 5.52: Appian is unsure, but cf. 5.54: the younger Caesar blames Antonius). Cassius Dio (48.4), echoing Antonius and Cleopatra, also talks of the arrogant Lucius and the domineering Fulvia.[81] Appian (5.49-50, etc.) focuses on the oppressed and dispossessed and Cassius Dio on Fulvia and Lucius' quest for power.[82] The two traditions are in fact less dissimilar than is often suggested: Appian (5.48-49) and Cassius Dio (48.14.3-6) both imply that Lucius and his army were spared. Osgood concludes: 'It is difficult to decide between the two versions, although many would reject the story of Octavian's human sacrifice'.[83] He goes on to emphasise that even Velleius Paterculus says that the inhabitants of Perusia were treated savagely.

We may also wonder why it was so important for both Appian and Cassius Dio to emphasise that the inhabitants of Perusia were Etruscans – apart from the obvious fact that they were. They were Roman citizens.[84] One reason may be that the violence was permissible because this was almost as if the enemy had been foreign. The argument may even have been used by the younger Caesar. Similarly, the civil war may have been justified by the younger Caesar: this was an unlawful uprising

[81] See Gowing 1992a, 79.

[82] Cass. Dio 48.4-15; 48.4 on the unmerited triumph of L. Antonius: Lucius claims a victory over Alpine tribes, even though he had held no command in the region. Fulvia's favour in the end secured the triumph.

[83] 2006, 172.

[84] A similar case may be found in the description of the Battle of the Colline Gate by Appian (*B Civ*. 1.87). According to Appian the 'Samnites' were the partisans of Marcus Lamponius (Lucanian) and Pontius Telesinus (cf. Dart 2014, 204). App. *B Civ*. 1.93: the killing of 'Samnite' prisoners included two Romans who were captured and not spared 'even though they were Romans'. This suggests Italian insurgents (rightly so Dart 2014, 206). According to Dart 2014, 1 the war was technically a foreign war. Here we see an example of manipulating labels, providing a precursor to later cases of civil war.

against the Triumvirate and thus had to be quelled. It was therefore punishment for resisting the rule of Rome – that is to say the rule of the triumvirs and/or of the younger Caesar. Such rhetoric would serve in both a foreign and a civil war and appears the most feasible scenario.

There are, however, also substantial differences between Appian and Cassius Dio. According to Appian (*B Civ*. 5.48–49) most Romans and even inhabitants of Perusia were spared, except the city councillors and some enemies of the younger Caesar, due to pressure from the younger Caesar's soldiers. Lucius, the senators and knights were spared. However, as already mentioned, not even in this version can the younger Caesar be absolved entirely from blame, as he wanted to turn the city over to his soldiers for plunder. Contrary to this, Cassius Dio (48.14.3-6) reports that most inhabitants of Perusia and three hundred Roman knights and senators were murdered on the altar of the deified Caesar, including one Tiberius Cannutius.[85] It is worth quoting Cassius Dio in some detail (48.14.3-5):

[85] Scheidel 1996 has put emphasis on problems related to the use of rounded numbers in Greek and Roman sources (cf. Westall 2010b). The powers of ten as well as multiples of thirty are very common. Scheidel concludes: 'Exact numbers for large numbers are extremely rare in the written tradition. Whereas this fact might theoretically be due to rounding off of totals that the ancient authors nevertheless knew exactly, it does not appear to be such, because the figures given are normally chosen from a restricted menu which does not include the full ten digits, or at least not in an unbiased manner' (236). As a result, the figure of three hundred, which is given as the number of Romans allegedly sacrificed at Mutina, might be considered a 'rhetorical number'. Alston 2015, 364, n. 31 (cf. 73-98 on the battle of Mutina) suggests that it 'has a feel of an estimate'. The question is why? How, for example, and by whom, was the number of casualties on the battlefield calculated? Commanders would certainly not have underestimated the extent of their victories. However, in a civil war this might be reversed. Having said that, after victories commanders will have mentioned these figures in the laurelled letters sent back to the Senate and then later in the Senate meeting, deciding on their request for a triumph (Lange 2016). Depending on where the number three hundred derives from, it may thus be too small or too high. Whichever the case, the exact number may after all be of lesser importance.

> πολλὰ μὲν πρὸς τούτους ὡς ἑκάστους, πολλὰ δὲ καὶ πρὸς τοῖς τείχεσιν ἐπράχθη, μέχρις οὗ καίτοι πλεονεκτοῦντες τὰ πλείω οἱ περὶ τὸν Λούκιον ὅμως ὑπὸ λιμοῦ ἐάλωσαν. καὶ αὐτὸς μὲν ἄλλοι τέ τινες ἄδειαν εὕροντο, οἱ δὲ δὴ πλείους τῶν τε βουλευτῶν καὶ τῶν ἱππέων ἐφθάρησαν. καὶ λόγος γε ἔχει ὅτι οὐδ᾽ ἁπλῶς τοῦτο ἔπαθον, ἀλλ᾽ ἐπὶ τὸν βωμὸν τὸν τῷ Καίσαρι τῷ προτέρῳ ὡσιωμένον ἀχθέντες ἱππῆς τε τριακόσιοι καὶ βουλευταὶ ἄλλοι τε καὶ ὁ Καννούτιος ὁ Τιβέριος, ὅς ποτε ἐν τῇ δημαρχίᾳ τὸ πλῆθος τῷ Καίσαρι τῷ Ὀκταουιανῷ ἤθροισεν, ἐτύθησαν. τῶν δὲ Περουσίνων καὶ τῶν ἄλλων τῶν ἐκεῖ ἁλόντων οἱ πλείους ἀπώλοντο, καὶ ἡ πόλις αὐτή, πλὴν τοῦ Ἡφαιστείου τοῦ τε τῆς Ἥρας ἕδους, πᾶσα κατεκαύθη.
>
> Many attacks were made upon these reinforcements separately and many engagements were fought close to the walls, until the followers of Lucius, even though they were generally successful, nevertheless were forced by hunger to capitulate. The leader and some others obtained pardon, but most of the senators and knights were put to death. And the story goes that they did not merely suffer death in an ordinary form, but were led to the altar consecrated to the former Caesar and were there sacrificed — three hundred knights and many senators, among them Tiberius Cannutius, who previously during his tribuneship had assembled the populace for Octavian. Of the people of Perusia and the others who were captured there the majority lost their lives, and the city itself, except the temple of Vulcan and the statue of Juno, was entirely destroyed by fire.

It is not my intention to reopen the question of whether human sacrifices were incompatible with Roman religiosity, as this has recently been addressed by Gradel (2002). Instead, I want to add that in the case of Perusia the alleged human sacrifices should be approached mainly as a question of politics and war, not religion, even if the two are always intertwined.[86] Significantly, whatever Roman religion teaches us, this does not prove that the killings at Perusia never happened. Furthermore, rejecting the report that three hundred senators and knights were killed after Perusia is very different from being sceptical that it happened at

[86] Murray 2006, 87: 'History does suggest a number of things about war. The first is that it is always about politics'.

the Altar to the Divine Julius. This last part may seem an exaggeration, even slanderous – but even here we cannot be sure.[87] The altar is of course highly significant, referring to the convention that to harm someone who had taken refuge at an altar was sacrilege (asylum, similar to the Thucydides story (3.81.5), see above). Cassius Dio's account is supported in the parallel evidence of Suetonius (*Aug*. 13, 15) and Seneca, who emphasises the difference between the Triumvirate and the Principate, the younger Caesar and Augustus in *De Clementia* (1.11.1):

> fuerit moderatus et clemens, nempe post mare Actiacum Romano cruore infectum, nempe post fractas in Sicilia classes et suas et alienas, nempe post Perusinas aras et proscriptiones.
>
> Granted he was restrained and merciful – to be sure, after the sea at Actium had been stained by Roman blood, after his own and others' fleets had been wrecked in Sicily, after the altars of Perusia and the proscriptions.

In light of the aftermath of the final battle of the Perusine War, Cassius Dio appears to belong to a tradition hostile to the younger Caesar. Gowing emphasises: 'This, however, is precisely the type of behaviour Cassius Dio abhorred in his own emperors and it is not uncharacteristic that he should include the story in his account'.[88] Velleius Paterculus puts everything into perspective, suggesting that the younger Caesar's cruelty after Philippi was untypical and thus mainly owing to the brutality of his fellow triumvirs (2.86.2). This is significant, as it suggests that acts of cruelty did occur.[89] Syme was right when he

[87] Cf. Zimmermann 2013, 303. The question remains: was there a cult to the Divine Julius at Perusia at this point in time?

[88] 1992a, 84.

[89] A speech by Septimius Severus after his victory over Clodius Albinus in 197 CE, as reported by Cassius Dio 76[75].8.1-4 (cf. SHA, *Sev*. 12.7-9), praised the cruelty of Sulla, Marius and Augustus against their enemies in the civil wars. See, however, Cassius Dio 56.38.1-5.

remarked that '[t]he captives were a problem',[90] although this hardly explains what happened at Perusia. Pelling emphasises that Lucius Antonius and his soldiers were spared, the inhabitants of Perusia not. He adds: 'Octavian's enemies soon elaborated the story, with talk of human sacrifice of 300 senators and knights at the altar of *Divus Iulius*; but the unembroidered truth was horrifying enough'.[91] Both Kienast and Eck seem to accept that the three hundred senators and knights were killed by the younger Caesar.[92] Cooley emphasises that contrary to mercy, the younger Caesar 'reputedly displayed immoderate cruelty after the victories at Philippi and Perusia'.[93] Nevertheless, according to Rich, Cassius Dio's portrayal of the early career of the younger Caesar is not hostile.[94] He was seeking monarchy and thus acted in the best interest of Rome. Cassius Dio wrote in the realist tradition of Thucydides (see 52.2.6-7), and his views on the civil war period are thus unlikely to be the result of a switch in sources. The disagreement among these scholars reveals the problematic nature of the evidence, and the challenge is finding a way to approach it.

Certain comparative examples are worthy of mention: M. Marius Gratidanus was slaughtered at the tomb of Q. Lutatius Catulus in 82 BCE; Cicero claimed that the Catilinarians wanted to kill him at the tomb of Catilina (*Pis*. 16); and after the triumph of Caesar in 46 BCE, rioting soldiers were executed and their heads set up at the Regia (Cass. Dio 43.24.3).[95] These stories represent differing forms of violence, some selective, others indiscriminate. Where does this leave us? When we draw

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[90] 1939, 212.

[91] 1996, 16. Cf. Levick 2010, 35 also suggests initial display of clemency followed by 'extraordinarily brutal treatment of the inhabitants (even if it has been exaggerated)'; cf. 2010, 231: Perusia as an understandable absentee from the *Res Gestae* (see below).

[92] Kienast 1999[3], 45; Eck 1998, 22.

[93] 2009, 117-8; cf. Ridley 2003, 169-71, referring back to *Res Gestae* 3.1, where Augustus claims to have saved citizens who begged pardon.

[94] 1990, 13-8, esp. 14.

[95] Weinstock 1971, 398-9 for more examples.

on both the ancient sources and modern empirical evidence and theoretical approaches, a picture emerges: Perusia was an example of indiscriminate violence, possibly resulting from the younger Caesar's lack of control at this time in Italy. The inhabitants of Perusia themselves were unfortunate victims of circumstance, whereas the younger Caesar's other enemies had fought him and were defeated there. The victims were thus all the enemies present, and in contrast to the proscriptions there does not appear to have been any prior intent.

One issue that has attracted a fair share of scholarly attention is the absence of Perusia from the *Res Gestae*.[96] Indeed, neither Perusia nor the proscriptions are mentioned, although it should be added that even Agrippa only appears twice. Osgood claims that '[w]hen at the end of his life Octavian looked back to his early career he could find ways to represent every campaign of the civil war in a positive light except Perusia'.[97] He adds that Augustus could not later blame his opponent Antonius for this incident. It is clearly not omitted because it was a civil war, as civil war, including the phrase *bellum civile*, is prominently mentioned in chapters 1-3 and 34. Therefore one must ask what it was about the events at Perusia that caused their omission. Perhaps it was the uncomfortable fact that the younger Caesar fought the Italian landowners, or maybe there were further complications. As with the assassins of Caesar (*RGDA* 2), the younger Caesar would undoubtedly have claimed that his opponents, Lucius Antonius and Fulvia, were making war on the *res publica*.[98]

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[96] Lange 2009, 28: 'The Perusine War is not mentioned in the *Res Gestae*, but not much between Philippi and Actium is, although Naulochus is not forgotten (*RGDA* 25.1)'; Syme 1939, 523: 'The Record is no less instructive for what it omits than for what it says'; Ridley 2003, 76 ('In this chapter [2] one might most naturally expect mention of the Perusine War'.

[97] 2006, 182.

[98] L. Antonius and *hostis* declaration: Florus 2.16 (probably deriving his information from Livy); Livy *Per.* 125, emphasising that Lucius started the war, attacking the younger Caesar.

Any overall conclusion is hampered by the problematic nature of the evidence. However, should we accept the details describing the slaughter of three hundred senators and knights, as well as that of the inhabitants of Perusia – all prisoners of war – then this is an extreme example of indiscriminate violence. Moreover, it suggests that the younger Caesar was not in control of Italy after Philippi. The killings are driven by personal animosities – the younger Caesar would have known many or at least some of these people personally when he determined to punish them, and thus suppress a dangerous uprising in Italy, one perhaps even supported by his fellow triumvir Antonius. Such a lack of control also suggests that this was an ineffective form of violence, maybe even counterproductive (and seemingly the wrong decision to take, even though the younger Caesar was trying to get on top of the Italian situation), as implied by the ancient critique. In the period from Perusia to Brundisium, where the soldiers helped to reconcile the rival triumvirs, the younger Caesar was on the defensive. He faced mounting problems in Italy with his soldiers, and with Lucius Antonius, Fulvia, and Sextus Pompeius; he feared a potential alliance between Sextus Pompeius and Antonius.[99] We must remember, of course, that the killings of defeated enemies after battle are a common feature in Roman history (Polyb. 10.15.4-6).[100] This more than anything may suggest that civil war in part came to be perceived in the same way as foreign wars.

Conclusions

There is little reason to claim that contemporary civil wars are identical to those in the ancient world. However, certain

[99] Berdowski 2011, 33-4; App. *B Civ*. 5.56-7. In the end a deal, which soon broke down, was struck between the triumvirs and Sextus Pompeius at Mutina in 39 BCE – due to the isolated nature of his base at Sicily, Sextus Pompeius was able to equip a large battle fleet, raiding the Italian coast and disturbing Rome's grain ships. All participants acted opportunistically and the Misenum Treaty was cynical in as much as it was a necessary deal for all parties. In the end the younger Caesar defeated Sextus Pompeius in 36 BCE. For an altogether different take on this, see Welch 2012.

[100] Cf. Zimmermann 2013, 247 with more evidence.

parallels occur, especially in terms of the logic of violence. Thucydides' account of civil war, for example, could well describe a modern conflict (3.82.4):

> καὶ τὴν εἰωθυῖαν ἀξίωσιν τῶν ὀνομάτων ἐς τὰ ἔργα ἀντήλλαξαν τῇ δικαιώσει. τόλμα μὲν γὰρ ἀλόγιστος ἀνδρεία φιλέταιρος ἐνομίσθη, μέλλησις δὲ προμηθὴς δειλία εὐπρεπής, τὸ δὲ σῶφρον τοῦ ἀνάνδρου πρόσχημα, καὶ τὸ πρὸς ἅπαν ξυνετὸν ἐπὶ πᾶν ἀργόν: τὸ δ᾽ ἐμπλήκτως ὀξὺ ἀνδρὸς μοίρᾳ προσετέθη, ἀσφαλείᾳ δὲ τὸ ἐπιβουλεύσασθαι ἀποτροπῆς πρόφασις εὔλογος.
>
> Words had to change their ordinary meaning and to take that which was given them. Reckless audacity came to be considered the courage of a loyal supporter; prudent hesitation, specious cowardice; moderation was held to be a cloak for unmanliness; ability to see all sides of a question incapacity to act on any. Frantic violence became the attribution of manliness; cautious plotting a justifiable means of self-defence.

The result of civil war is fragmentation and the justifications presented by the various warring parties have led to semantic confusion. The proscriptions and the mutilation of the body of Cicero can be explained as a matter of 'selective violence' against enemy factions or personal enemies. The triumvirs' unchecked power ensured that the punishment of personal enemies was all but inevitable, especially in light of their driving ambition. The spectacle of the dismembered bodies on the Rostra, built on the precedent set by Sulla, clearly suggests premeditated action. Later during the civil war period the younger Caesar found his control of Italy uncertain and under threat. This does not of itself prove that the massacre took place, but comparative evidence suggests that the 'indiscriminate' violence at Perusia, including the sacking of the city, corresponds to the circumstances the younger Caesar faced.[101] The evidence of more recent conflicts suggests that we certainly cannot rule out

[101] It should of course be remembered that violent appropriation, including acquisition of booty, was an intrinsic part of warfare in ancient times. See Gabrielsen 2013, esp. 147. However, the difference was that this was a civil war and the enemies Roman citizens.

the killing of the three hundred. Both instances of violence, against Cicero and Perusia, are compatible with modern theory and empirical evidence (esp. Kalyvas 2006; Martin 2014), and also with Thucydides' '*Idealtypus*'. There was a logic of violence during the civil war of the Late Republic.

Ending a civil war was never just about victory on the battlefield – some of the most significant and interesting acts of violence in civil war take place elsewhere or subsequent to the 'end' of the battle proper – but also the victor's justification and the facilitation of peace.[102] Not only is war a distinct and recurring part of human nature, but the means of justifying (civil) wars also reveal similar tendencies over time. That Augustus late in life chose to downplay his role in the proscriptions and the sacking at Perusia, including the alleged killings of the three hundred, is hardly surprising: as an inscription justifying and celebrating his achievements, the *Res Gestae* would never focus on negative qualities or actions.[103] The civil war is mentioned in the inscription, but the process of the extinction of the civil war is emphasised (*RGDA* 34.1: *in consulatu sexto et septimo, postqua[m b]el[la ciuil]ia exstinxeram*). The dismemberment of Cicero's body served as a deterrent and statement of authority – the financial incentives of the proscriptions alone cannot explain such a spectacle. The Perusia killings not only had the same function, but were also a consequence of the lack of control and challenge to the power of the younger Caesar.[104] As such, these acts were not merely the result of what might be called natural aggression. This is also why the *Res Gestae* focuses on the positive outcome of the civil war: peace after war, a civil war instigated by others.[105] Augustus did in fact claim (esp. *RGDA* 2 and 3) that violence was

[102] On triumph and closure, see Westall 2014. On ending civil war at Rome, see Osgood 2015.

[103] Cf. Lange 2008.

[104] Tac. *Hist.* 1.50.2 accordingly includes Perusia in a list (*Pharsaliam Philippos et Perusiam ac Mutinam*) of great national disasters: *nota publicarum cladium nomina*.

[105] Cf. Lange 2009.

necessary to establish peace and order. An enemy should in principle always be foreign and, accordingly, a civil war was a war without a real enemy. In the case of Rome a foreign enemy thus had to be created, either by turning civil wars partly into foreign wars[106] or by turning Romans into enemies of the state. Both approaches did, however, still conspicuously emphasise civil war. The proscriptions and the killings at Perusia were personally motivated and reveal much about power struggles and civil war.[107] Violence, both selective and indiscriminate, is a conspicuous part of civil war, modern as well as ancient, and there is a distinct logic to it: the elimination of personal enemies and the securing of power.

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[106] See Lange 2013.

[107] See Christia 2012, using Realist Theory on civil war: factions in the civil wars of Rome were actors in their own right and with their own interests, trying to side with the winner, or alternatively, trying to obtain a political solution. In Rome, as in contemporary civil war, there was no such thing as an impossible alliance. The primary aim of warring groups in civil war was that of self-preservation.